

FILED

JUL 01 2009

U. S. DISTRICT COURT
E. DISTRICT OF MO.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

RYAN HUFF,

Defendant.

No.

4:09CR 00438RWS

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

- (a) “minor” to mean any person under the age of eighteen years (18 U.S.C. § 2256(a));
- (b) “sexually explicit conduct” to mean actual or simulated

(I) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-

anal, whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. §2256(2)(A)); and

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6)).

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

2. The "Internet" was, and is, a computer communications network using interstate and foreign telephone lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. On or about January 13, 2009, through on or about January 22, 2009, in the Eastern District of Missouri,

RYAN HUFF,

the defendant herein, did knowingly use, persuade, induce, and entice, a minor, C.H., to engage in sexually explicit conduct, specifically: defendant Ryan Huff had C.H. take pictures of herself in a lascivious display of her genitals, and said sexually explicit conduct was for the purpose of

producing a visual depiction of such conduct and such visual depiction was actually transported in interstate commerce,

In violation of Title 18, United States Code, Section 2251(a) and punishable under Title 18, United States Code, Section 2251(e).

COUNT II

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. On or about January 13, 2009, through on or about January 22, 2009, within the Eastern District of Missouri,

RYAN HUFF,

the defendant herein, did use any facility and means of interstate commerce, and did knowingly persuade, induce, entice, and coerce C.H., who was a minor under the age of fourteen years old, to engage in sexual activity for which any person can be charged with a criminal offense, to wit: the defendant had sexual intercourse with C.H., who was less than fourteen years of age, in violation of Missouri Revised Statute, Section 566.032, and the defendant engaged in deviate sexual intercourse with C.H., who was less than fourteen years of age, in violation of Missouri Revised Statute, Section 566.062,

In violation of Title 18, United States Code, Section 2422(b).

COUNT III

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are

incorporated by reference as if fully set forth herein.

2. On or about January 13, 2009, through on or about January 22, 2009, within the Eastern District of Missouri,

RYAN HUFF,

the defendant herein, did knowingly aid, abet, counsel, command, induce and procure C.H. to use, persuade, induce, entice, and coerce a minor, J.Z., to engage in sexually explicit conduct, specifically: defendant knowingly aided, abetted, counseled, commanded, induced and procured C.H. to have J.Z. take pictures of herself in a lascivious display of her genitals, and said sexually explicit conduct was for the purpose of producing a visual depiction of such conduct and such visual depiction was actually transported in interstate commerce,

In violation of Title 18, United States Code, Sections 2 and 2251(a) and punishable under Title 18, United States Code, Section 2251(e).

COUNT IV

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. On or about September 1, 2008, through on or about January 22, 2009, within the Eastern District of Missouri,

RYAN HUFF,

the defendant herein, knowingly received child pornography that had been shipped and transported in interstate commerce by any means, that is, graphic images files that had been

received via the internet and defendant's cellular telephone which contained child pornography, including, but not limited to, one of the following:

1) "?mivt.kEBr2xYc8khS4USLOhMU&shareName=MMS<0a><Oa> frsthgl<0a><Oa>"

- An image file depicting C.H. in a lascivious display of her genitals;

2) "?mivt=wEYr27Yw8kkBfk8ha830&shareName=MMS<0a><Oa> _frsthgl<0a><Oa> -

An image file depicting J.Z. in a lascivious display of her genitals;

3) "?mivt=tElr2UYdh58jWhpzL0o8&shareName=MMS<0 a><Oa> _frsthgl<0a><Oa>"

- A video file depicting T.W. in a lascivious display of her genitals;

4) An image file depicting K.A. in a lascivious display of her genitals;

In violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT V

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about January 1, 2009, to on or about January 22, 2009, in the Eastern District of Missouri and elsewhere,

RYAN HUFF,

the Defendant herein, did knowingly possess material that contained an image of child pornography that was produced using materials that traveled in interstate and foreign commerce, to wit, a Fujitsu 80GB hard drive, S/N: NZ0KT6C25DU2, said hard drive having been produced

outside Missouri and therefore having traveled in interstate and foreign commerce, and the hard drive contained child pornography, including but not limited to, one of the following:

1. "0717082039.jpg" - an image file depicting a minor female in a lascivious display of her genitals;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT VI

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about January 1, 2009, to on or about January 22, 2009, in the Eastern District of Missouri and elsewhere,

RYAN HUFF,

the Defendant herein, did knowingly possess material that contained an image of child pornography that was produced using materials that traveled in interstate and foreign commerce, to wit, a Cruzer mini 256MB Thumb Drive, said drive having been produced outside Missouri and therefore having traveled in interstate and foreign commerce, and the hard drive contained child pornography, including but not limited to, one of the following:

1. "_0.jpg" - an image file depicting a minor female in a lascivious display of her genitals;
2. "56.jpg" - an image file depicting a minor female engaged in oral sex with a male;
3. "_1.jpg" - an image file depicting a minor female in a lascivious display of her genitals;

4. "_9.jpg" - an image file depicting a minor female in a lascivious display of her genitals;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT VII

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about September 1, 2008, and on or about January 22, 2009, in the Eastern District of Missouri and elsewhere,

RYAN HUFF,

the Defendant herein, did knowingly use the internet, a facility of interstate commerce, to intentionally transfer obscene matter to other individuals who had not attained the age of 16 years: to wit, defendant, knowing the general nature of the contents of the matter, transferred obscene images of an erect penis to C.H., T.W., and C.M., all of whom were less than 16 years of age;

In violation of Title 18, United States Code, Section 1470.

A TRUE BILL.

FOREPERSON

MIKE W. REAP
Acting United States Attorney

ROBERT F. LIVERGOOD, #22937
Assistant United States Attorney